

ENTERED

March 13, 2017

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SIDNEY RAY SNELLINGS,

§

Plaintiff,

§

VS.

§

MONTGOMERY COUNTY SHERIFF
OFFICE, and ADULT PROTECTIVE
SERVICES,

CIVIL ACTION NO. H-17-343

Defendants.

§

ORDER

The plaintiff, Sidney Ray Snellings, appearing *pro se*, recently filed an application to proceed *in forma pauperis* (IFP) and a proposed complaint in state court. The defendants removed the action to this court on February 3, 2017. (Docket Entry No. 1). The state-court petition is unintelligible. It fails to state the relief sought.

Under 28 U.S.C. § 1915(e)(2)(B), this court may deny an application to proceed IFP and dismiss a complaint if it is frivolous or fails to state a claim upon which relief may be granted. *See* 28 U.S.C. § 1915(e)(2)(B)(i)–(ii); *Rogers v. Boatright*, 709 F.3d 403, 407 (5th Cir. 2013). An action is frivolous if “it lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

The plaintiff has filed a complaint that is unintelligible and fails to comply with the basic rules of pleading. *See* FED. R. CIV. P. 8(a). Because the complaint fails to state a claim upon which relief can be granted and is frivolous on its face, it is dismissed under 28 U.S.C. § 1915(e)(2)(B) and Federal Rule of Civil Procedure 12(b)(6).

The request to proceed IFP is denied and this case is dismissed. The dismissal is without prejudice and with leave to amend to state a claim and the relief sought.

SIGNED on March 13, 2017, at Houston, Texas.


Lee H. Rosenthal
Chief United States District Judge